



PATENT  
Docket No.: 19603/468 (CRF D-1595C)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Barany et al.

Serial No. : 08/794,851

Cnfrm No. : 7129

Filed: : February 4, 1997

For : DETECTION OF NUCLEIC ACID SEQUENCE  
DIFFERENCES USING THE LIGASE  
DETECTION REACTION WITH  
ADDRESSABLE ARRAYS

)  
) Examiner:  
) P. Ponnaluri

)  
) Art Unit:  
) 1639

RECEIVED

AUG 19 2003

TECH CENTER 1600/2900

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Petitioners, Cornell Research Foundation, Inc., Regents of the University of Minnesota, and Board of Supervisors of Louisiana State University Agricultural and Mechanical College are joint owners of the instant application. Petitioners hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,506,594. Petitioners hereby agree that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantees, their successors or assigns.

In making the above disclaimer, petitioners do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to

pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The assignees of the entire right, title and interest of the above-identified application, hereby confirm that an assignment for the subject application was recorded on July 14, 1997, at Reel 8609/Frame 0541 to Cornell Research Foundation, Inc., September 2, 1997, at Reel 8695/Frame 0453 to Regents of the University of Minnesota, July 14, 1997, at Reel 8609/Frame 0578, September 19, 1997, at Reel 8696/Frame 0528, and March 18, 2003, at Reel 013853/Frame 0531 to Board of Supervisors of Louisiana State University and Agricultural and Mechanical College in the U.S. Patent and Trademark Office.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

For submission on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned (whose title is supplied below) is empowered to act on behalf of the organization.

Enclosed is a check for \$110 to cover the terminal disclaimer fee under 37 CFR § 1.20(d). Please charge any additional fees or credit any overpayment to Deposit Account No. 14-1138. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: August 13, 2003



Michael L. Goldman  
Registration No. 30,727  
Attorney for Applicants

NIXON PEABODY LLP  
Clinton Square, P.O. Box 31051  
Rochester, New York 14603-1051  
Telephone: (585) 263-1304  
Facsimile: (585) 263-1600

Certificate of Mailing - 37 CFR 1.8(a)	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450, on the date below.	
Date <u>8/15/03</u>	<u>Wendy L. Barry</u> Wendy L. Barry